

To: Department of Justice
Re: Microsoft settlement
Date: 25 January 2002

After reviewing the documents related to the settlement of the Microsoft antitrust case I feel I must comment. I have 25 years experience in the computer field and have never been prompted to action on any topic like this until now.

I am deeply disturbed that the revised "Proposed Final Judgement" will be completely ineffective as it currently exists. The definitions therein are often so restrictive that the judgement would eliminate any benefit to those it harmed the most. It currently ignores the most significant opponent Microsoft has which is the not-for-profit organizations, which include the Linux development coalitions. It also contains several loopholes that Microsoft is already planning to use. But most of all it is too narrow that it only restricts anti-competitive activities dealing with the operating system, browser, and middleware thereby allowing them to assert their illegal monopolistic influence in several other emerging markets.


If I could enact a remedy, I would invalidate all Microsoft patents and have them publish the source code for every product they have produced. Even though this remedy would fit their crime, it probably would not be enough. Some may consider this a bit draconian and I doubt it would never happen, but it would be much more effective in reducing the entry into Microsoft dominated fields by competing interests. I believe it would even make Microsoft a better company, one that would have to innovate instead of litigate.

Please do give Microsoft additional opportunities to abuse their monopoly under the guise of a settlement to "unfetter a market from anti-competitive conduct". If this settlement is allowed, Microsoft will have gotten away, not with a slap on the wrist, but with full legal permission to do what it's been doing, and more.

This settlement is definitely not in the best interests of the public.

Thank you for your efforts in doing what is right.

Sincerely,



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